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Moving beyond contemporary discourses: children, prostitution, modern slavery and human trafficking

Helen Charnley¹

Pearson Nkhoma²

¹Durham University, UK

² Malawi-Liverpool-Wellcome Trust

Abstract:

The relationship between prostitution, modern slavery and human trafficking is much debated in the academic literature. By contrast, discussion of children's involvement in prostitution as a form of modern slavery and human trafficking constitutes a silent consensus. Drawing on the findings of a participatory study with girls and young women in Malawi we prize open that consensus, illuminating the poverty of contemporary discourses that link children's involvement in prostitution with modern slavery and human trafficking and identifying a series of tensions that confound the development of conceptual clarity. We develop our argument by exploring the potential of the capability approach, rooted in principles of social justice and human rights, to offer an alternative understanding of children's engagement and ongoing involvement in prostitution, and a critical lens through which to reframe the relationship between children, prostitution, modern slavery and human trafficking.

Keywords: children, prostitution, slavery, participatory research, capability approach.

Moving beyond contemporary discourses: children, prostitution, modern slavery and human trafficking

Introduction

Children's involvement in prostitution is a controversial area within academic debate influenced by ideologically informed value positions (Green, 2016). In contrast to debate about adult prostitution, we find a 'silent consensus' (Yanow, 1992) that children's

involvement in prostitution constitutes a form of modern slavery and human trafficking (Bales and Robbins, 2001; Lusk and Lucas, 2009). The term ‘child prostitution’ has been widely replaced, particularly in the global north, by ‘child sexual exploitation’ reflecting the moral status of children (Furedi, 2015) and stressing the unequal power relations between adults and children (Sanders *et al.*, 2017). Yet the literature addressing children’s involvement in prostitution reflects different discourses referring to rape (Goddard *et al.*, 2005), ‘worst forms’ of child labour, (Abebe and Bessell, 2011), survival sex (Zembe *et al.*, 2013), agency in responding to cultural and structural constraints (Hahn and Holzscheiter, 2013), and transactional sex (Stoebenau *et al.*, 2016; Swidler and Watkins, 2007; Williams *et al.*, 2012; Zembe *et al.*, 2013). The purpose of this article is to explore the impact of these discourses on the pursuit of human rights and social justice, the core business of social work (IFSW, 2014). We start by drawing on an empirical study with girls and young women in Malawi both to review contemporary discourses of children’s involvement in prostitution, and to offer a critique of argument that children’s involvement in prostitution constitutes a form modern slavery and human trafficking. This is followed by a discussion of factors that coalesce to confound conceptual clarity informing connections between child prostitution, slavery and trafficking. Throughout the article we examine the potential of the capability approach (Sen, 1999; Nussbaum, 2000, 2003) as an alternative lens of understanding children’s involvement in prostitution. We end by considering the iatrogenic effects of global neoliberalism in limiting the achievements of internationally avowed aspirations to respect children’s human rights, including the rights of freedom from involvement in prostitution, slavery and trafficking.

Contemporary discourses of children’s involvement in prostitution

Proponents of children’s rights (UN, 1989, 2000a; ECPAT, 2011; Pearce *et al.*, 2013), and radical feminists (Barry, 1981, 1996) conceptualize prostitution as sexual exploitation and abuse, reflecting unequal power relations between adults and children, men and women. This understanding underpins interventions to ‘rescue’ children from prostitution with little appreciation of the complex realities of children’s lives and circumstances (Melrose, 2010). By contrast, liberal feminists conceptualize prostitution as ‘sex work’, a response to inequality of opportunities for economic independence, and promote the decriminalization of sex work and protection of sex workers from exploitation and violence (Vanwesenbeeck, 2017). This understanding pays little specific attention to children, ignores the continuities

between children's and adults' involvement in prostitution (Beran, 2012), and is argued to have increased the scale and harms of children's involvement (Jeffreys, 2000). A further conceptualization draws on structuration theory linking individual agency with wider structures that enable or constrain individuals' decision making in particular circumstances (Montgomery, 2014; O'Connell- Davidson, 2005; Orchard, 2007; Phoenix, 2007, 2012). While evidence from diverse cultures (Giobbe, 1990; Grana, 2009; O'Neill, 2013; Coy, 2009; Hwang and Bedford, 2003, 2004) has linked girls' and young women's involvement in prostitution with incomplete education, parental abuse and neglect, early sexual experience including incest and rape, running away from home, leaving public systems of care, homelessness, lack of experience in alternative occupations and having dependent children, Kropiwnicki (2012) articulates the role of political structures in shaping policies and interventions that mask the underlying structural bases of prostitution.

More recent argument emerged from the findings of a participatory study with girls and young women in Malawi who first exchanged sex for material reward as children (Nkhoma and Charnley, 2018). This offered only narrow glimpses of children's rights and radical feminist argument, and while the majority of participants viewed their involvement as a means of generating income, legislation and policy to protect and promote the safety of children and women remained largely ineffective. Participants' agency was ambiguous (Bordonaro and Payne, 2012), and their decisions reflected 'adaptive preferences' (Nussbaum, 2000), based on 'least worst' options. We argued that the capability approach offered a more nuanced understanding of children's involvement in prostitution. Concerned with human development, human rights and social justice, the capability approach focuses on: i) 'functionings' – being or doing what people value and have reason to value; ii) 'capability': the freedom to enjoy being or doing things that contribute to wellbeing; and iii) 'agency': the ability to pursue and realize valued goals (Deneulin and Shahani, 2009). The strength of the approach lies in its recognition of the role of structural conditions and individual agency in facilitating or constraining the achievement of wellbeing, and its rejection of the explanatory sufficiency of single variables.

The Malawi study

The Human Development Index (UNDP, 2018), reflecting measures of income, health, education and gender equality, indicates Malawi as among the poorest countries in the world. Nearly half the population is aged under 15, and nearly half of young women marry before

the age of eighteen, a practice associated with low levels of educational achievement for girls. Early marriage exposes many young women to emotional, physical and sexual violence (Warria, 2018; NSO Malawi and ICF, 2015-16). High prevalence rates of HIV/AIDS and other chronic illnesses contribute to high rates of child, maternal, and adult mortality (WHO, 2018) further undermining the precarious protective capacity of the family. A lack of employment opportunities in rural areas drives rural urban migration as young people seek opportunities to earn sufficient income to sustain themselves and their families. Despite the introduction of multi-party democracy in 1993 traditional power structures prevail (Cammack, 2017), inhibiting internationally supported moves towards greater gender equality through the promotion of educational opportunities for girls and legislation to address gender sensitive problems associated with the registration of births, inheritance entitlements, domestic violence and early marriage (Kadzamira and Rose, 2003; Moser, 2005; Mwambene, 2018).

The study involved 19 girls and young women whose first exchanged sex for material reward in childhood. Following approval by ethics committees in the UK and Malawi, participants were recruited from two NGOs focusing on HIV/AIDS prevention, and through snowballing techniques (Tiffany, 2006). Aged between 12 and 39 years, they had first exchanged sex for material reward between 11 and 17 years. Participants chose a range of visual techniques to record and convey their experiences of involvement in prostitution. Findings, interpreted in group discussions and individual interviews, revealed limited entitlements, opportunities and a lack of freedom to lead lives they had reason to value (Sen, 1999). Choices were heavily constrained by strong cultural norms governing gender relations (Nussbaum and Glover, eds. 1995). Engagement in sex as part of cultural traditions that normalize early marriage, often with much older men, was evident exposing a conspicuous absence of knowledge about, and respect for, children's rights as articulated in the United Nations Convention on the Rights of the Child (UN, 1989) and the African Charter on the Rights and Welfare of the Child (OAU, 1990). Nine participants spoke of marriage offering false hope of security, and saw prostitution as a preferable choice offering independence: *while the housewife has to rely on the husband for her support, despite playing almost the same roles.*

Abuse and exploitation were common experiences within marriage and prostitution. Despite the culturally entrenched perception of husbands as breadwinners, participants illustrated exploitative practices, for example:

There are some husbands who push their wives to go to the bar so they can ask her to share the money she earns and he would ask for K50 or K100 to buy beer. Others even go to the extent of accompanying her there (Iviana).

Despite awareness that marriage could not guarantee dignified support, it was considered the principal route to avoid prolonged involvement in prostitution. But here too, the study generated stories of disappointed hopes. After becoming pregnant Jobani had married, hoping it would allow her to escape a life of deprivation and achieve some security. But she was repeatedly physically abused and finally admitted to hospital. Reporting the abuse to the authorities, she was redirected to traditional systems for family dispute resolution involving elders steeped in cultural tradition. Describing her experience of marriage as ‘*worse than prostitution*’, she separated from her husband and reengaged in prostitution, a choice she described as being ‘*born of despair*’.

None of the participants referred to their rights. Rather they told of attempts to survive and to meet cultural obligations to support their parents, younger siblings, or children. Bureni explained her involvement:

Mostly, it's because of problems; being without food because my parents were destitute. They're unemployed. As such, I would buy food and support my mother with the money I earn from prostitution.

While this speaks of ‘survival sex’ (Farvid and Glass, 2014) not all girls and young women in similarly deprived circumstances engage in prostitution and the role of social networks emerged as important in framing decisions to engage in prostitution with participants having been ‘introduced’ to prostitution by friends or family members. Emoni explained:

I met a friend who told me that she was able to support herself through prostitution. So, I told her to take me with her when going out.

Labani’s introduction was less direct:

I had a group of friends who were doing prostitution. We used to organise nights out, drinking in order to stop thinking about what I was going through, and my mother was destitute. While out partying, some men would approach me. My friends had already

told me that if this happens, I had to charge them. Since I was also looking for money with how the situation was for me, I just accepted.

The role of family members, particularly mothers and older sisters, in presenting prostitution as a legitimate choice was also evident. Diami explained:

We can argue that doing prostitution is hereditary considering that all my family members are doing prostitution.

Mpaseni felt that even her own daughters would be expected to be involved in sexual relationships with men as a means of survival, and may well follow her own example. And referring to her daughter's future, Bureni explained:

It's her own decision and choice. She could say not only has she inherited it from me but I should not bother discouraging her because nobody stopped me.

This pattern of engagement in prostitution resembles the expectations of young Devadasis to follow their mothers into prostitution (Orchard, 2007). Indeed, a number of participants referred to broader aspirations in emulating their mothers:

While growing up, I used to tell my mother that I wanted to be like her [working at a post office]. I did not really know her job but I told her it's something I wished I could become upon completing school. I wanted to be like her because she could be picked up in the morning and dropped after work (Diami).

Reflecting on their lives, participants drew connections between their own paths and the imagined paths of individuals displaying symbols of material security. While taking photographs representing their experiences or thoughts about prostitution, Labani, Umani and Mazani photographed a car to represent their lost opportunities to complete their schooling. Referring to the young woman who owned the car Mazani explained: *We think she reached the point of buying that car because of school.* Labani added: *we pondered on what could have happened if we also had gone further with school.* Bureni referred to the circumstances that limited her access to education:

Going to school on an empty stomach would make it impossible for you to concentrate in class. There is currently no free school because you are expected to pay fees or have a school uniform.

Attempting to complete their education a number of participants had tried to use earnings from prostitution to pay school fees. However, as Bureni explained:

You could hardly consider paying fees first if you have only made K500. One is more concerned to cater for the needs at the house than using all of it to pay fees.

Others, such as Labani, had been thwarted in attempts to use alternative routes to raise sufficient income to meet their needs:

I engage in sex work merely because I don't have a choice. What else could I do except this? ...Reflecting over what I could do, I picked prostitution. But that does not mean I like what I am currently doing. I have tried to leave before... I once went to South Africa as I was trying to find things I could do. But even there, I was working like a slave... I returned home and rejoined sex work because I did not have a choice. I could not quit, neither could I go back to school with the money that I was earning. So, I just gave up knowing that what I was doing was awful.

Taken together these findings represented a complex set of circumstances creating a need to generate income for survival, sometimes combined with the desire to acquire material goods to improve quality of life, together with social situational factors that presented opportunities to exchange sex for material reward. The agency of participants was constrained by 'unfreedoms' - poverty, sharp gender inequalities, and systematic social deprivation (Sen, 1999) resulting in the exercise of adaptive preferences, conforming to the norms of the dominant culture in which women are expected to demonstrate their deference to men (Nussbaum, 2001). This conformity extended to some participants taking responsibility for clients' violent behaviour. Despite all participants having experienced violence at the hands of clients, a discussion among one group presenting their storyboards went as follows:

Labani: *Women engaging in prostitution experience a lot of violence from clients.*

Jobani: *That means the woman has done something to irritate the client. He cannot just behave violently.*

Babani: *It could be you who has a problem.*

Emoni: *It would be a lie to pretend as if things are fine. Some of us were beaten by clients for no reason.*

This exchange demonstrates both the internalization and rejection of dominant cultural expectations governing gender relations and reminds us that agency should not be equated with freedom (Bordonaro, 2012) nor understood simply as the opposite of victimhood.

The story of the youngest participant, Loni, illustrates yet further complexity combining victimhood and agency. Aged 12, Loni described herself as a victim, as having been ‘stolen’. Migrating to the city to try and supplement the family income, a friend persuaded her to visit a potential employer. There, Loni found herself trapped as a ‘bar girl’ in a brothel where she was threatened, intimidated and manipulated through physical abuse, deprivation of food and withholding of pay. She experienced multiple rapes causing physical injuries before managing to escape, exercising a highly visible form of agency. She was acutely aware of the injustice of these experiences, referring to clients’ interest in her prepubescent body saying: *I did not have breasts when I went there.*

Loni’s story focuses our attention on concepts of slavery and trafficking and we now turn to a critical analysis of argument that equates children’s involvement in prostitution with modern slavery and human trafficking.

Children’s involvement in prostitution, modern slavery and human trafficking.

Discourses linking children’s involvement in prostitution with modern slavery and human trafficking present a muddled picture. Bales and Robbins (2001) have argued that ‘child prostitution’ unquestioningly meets all three conditions of the multi-dimensional definition of modern slavery: control by third parties, loss of independence over labour power, and the threat and use of various forms of direct and indirect violence. Diverse understandings of human trafficking as necessarily involving movement across borders (Craig, 2010), or also occurring within borders (Macy and Graham, 2012) further obscure deep understanding. The UN Convention against Transnational Organized Crime (UN, 2000b) and its associated Protocol to prevent, suppress and punish trafficking in persons, especially women and children (UN, 2003) describe human trafficking as the movement of people through means of threat, force or coercion; the abuse of power over vulnerability for the purposes of exploitation including sexual exploitation, forced labour and slave-like practices. Reflecting principles of children’s rights and radical feminism, consent is considered irrelevant in these contexts.

Underpinning these arguments is an ideologically rich but empirically poor evidence base reflecting international and national government policy agendas, and non-government agency funding priorities (Zhang, 2009). As Kempadoo (2015) has argued, anti-modern slavery and anti-trafficking campaigns have not led to a reduction or eradication of these phenomena, but rather to stronger ideologies against prostitutes, infantilizing rescue missions to save ‘innocent victims’, greater police surveillance and programmes to apprehend pimps and traffickers, and greater controls on migration. Slow progress in developing more nuanced understandings is also linked to the tendency to treat children’s involvement as something distinct from adult involvement in prostitution, based on generalized misassumptions about the vulnerabilities and agency of adults and children (O’Connell Davidson, 2005). Such assumptions have presented ethical challenges in undertaking empirical research with children involved in prostitution. However, ethical approval processes complementing the need for children to be protected from any potential harms of participating in research, with the right of children to be heard (Goddard and Mudaly, 2009) and growing acceptance of methodologies and methods that enable children to participate in research on their own terms (Horgan, 2017) are beginning to yield further insights into the structural, cultural and individual factors associated with ‘child prostitution’ (Nkhoma and Charnley, 2018; O’Connell Davidson, 2005; Montgomery, 2014; Orchard, 2007; Phoenix, 2001).

Despite developing knowledge, the discourses linking children’s involvement in prostitution with modern slavery and human trafficking present a blurred and confusing picture. We argue here that this is a result of tensions arising from: i) the prominence given to adult interpretations of children’s experiences, ii) the interpretation of ‘child prostitution’ as a worst form of child labour, and iii) the understanding of ‘child prostitution’ as transactional sex.

Adult interpretations of children’s experiences

Those who promote the value of exploring children’s agency in the world of prostitution argue that we need a complementary understanding of the social structures they inhabit and how these influence, and are influenced by, children’s decisions. This implies an understanding of the experiences and circumstances of children involved in prostitution from their own perspectives. Rare examples of such research have shown child prostitution to be linked variously to filial duty in the face of poverty (Montgomery, 2009, 2014) being born into a recognized occupational group (Orchard, 2007) poverty, homelessness, running away

from home and involvement in public care systems (O'Neill, 2013), exacerbated by other factors such as mental ill health (Phoenix, 2012).

Accessing and understanding children's direct experiences of prostitution is far from straightforward. Practical and ethical challenges are complicated by adult constructions of children and childhood. And despite attempts to develop universal values through the UNCRC it is clear that these do not represent the values of all global regions or nation states equally. For example, the Organisation of African Unity adopted an African Charter on the Welfare and Rights of the Child in 1990 to take into account 'the economic, social, political, cultural and historical experience of African children' (OAU, 1990). The UNCRC contains its own inherent tensions between children's rights to provision (for example of education and health care), to protection (for example from violence, abuse, neglect and from economic and sexual exploitation) and to participation in decisions that affect their lives (Lansdown, 2009). The African Charter aspires to protect children from all forms of sexual exploitation and sexual abuse including prostitution and trafficking, aspirations held in tension with the 1987 African Charter on Human and People's Rights (OAU, 1987) that outlines the duty of the state to promote and protect morals and traditional values recognized by the community. Article 21 of the African Charter on the Rights and Welfare of the Child includes measures to protect children against harmful social and cultural practices including those that prejudice health and life, or are discriminatory on the grounds of sex, including marriage under the age of eighteen. Yet in deeply patriarchal societies the protection and promotion of traditional values offers a thin disguise for the maintenance of practices that are publicly acknowledged as harmful.

Discussing the tension between children's lived realities and adult-centric solutions Montgomery (2009) has argued the importance of listening to children as a unique way of revealing such gaps. But despite a growth in participatory research with children, structural constraints have commonly inhibited the translation of children's experiences and priorities into policy and practice. Just as Nussbaum (2000) and Kempadoo *et al.* (2016) have referred to cultures of domination that effectively silence the voices of women's voices, particularly those involved in prostitution, we argue that children's voices have largely been similarly silenced. A key question here relates to the timeframes that define childhood and the timeframes that inform policy change. Based on direct experience of listening to children in rural villages in Malawi, Kaime (2005, 2009) presents evidence of gradual attitude change to

child betrothal following policies to limit the impact of HIV and AIDS and to encourage girls' education. But the slow pace of change means little in the immediate lives of children experiencing adversities including orphanhood, rejection by the extended family, violence in early marriages and chronic poverty. Our argument is that the charting of changing attitudes in the population at large must be matched by additional efforts by researchers to listen to marginalised children, including those involved in prostitution. Such efforts are likely to involve a shift from a dominant research discourse that refers to 'hidden' or 'hard to reach' populations, to one that refers to 'easily ignored' populations.

Children's involvement in prostitution as child labour

In 1998 The International Labour Organisation (ILO) declared 'child prostitution' among the worst forms of child labour (Noguchi, 2002), endorsing a binary division between child and adult labour. In common with many attempts to abolish child labour this approach fails to address the circumstances that draw children into prostitution (Hanson and Nieuwenhuys 2013). It also resembles the perverse effects of the radical feminist position that all situations in which women and girls are unable to change the immediate conditions of their existence, however they arrived in those conditions, and where they are subject to sexual violence and exploitation, constitute female sexual slavery (Barry, 1996). Representing adult prostitution as slavery is contested by liberal views of prostitution as consensual sex work, a stigmatized yet tolerated way of life, resistant to regulation by social institutions that are dominated by male direction and male control (Bales and Robbins, 2001). But without explicit attention to children, the liberal feminist position has contributed to the silent consensus equating children's involvement in prostitution with sexual slavery, underpinned by argument that children are unable to transfer their skills to another area of economic gain and experience more profound psychological needs resulting from sexual violation. By contrast, exploring children's own explanations for exchanging sex for money in Thailand, Montgomery (2009) revealed motivations informed by moral satisfaction in being able to support parents, and views that prostitution was preferable to begging and a necessity in the absence of better paid forms of work. Focusing on non-sexual forms of work, Bessell's (2011) child-centred research in Jakarta also emphasizes the multifaceted contexts in which children engage in work, informed by varying responsibilities, access to formal education, and the availability of alternative opportunities. Generating income to support their families gave children greater control over some aspects of their lives, including marriage, while engagement in work

restricted opportunities such as formal education. The clear conclusion was that denying choice to work through legislative means would not necessarily open up routes to palatable alternatives.

These differing understandings of the conceptual connections between children's involvement in prostitution and child labour do little to establish a clear fit between 'child prostitution', modern slavery and human trafficking. While there is widespread moral repugnance at the idea that children should have to earn an income through prostitution, conceptualising children's involvement in prostitution as child labour does little to identify and implement effective responses for children living in poverty and excluded from mainstream forms of support.

Children's involvement in prostitution as transactional sex

The conceptualization of prostitution as transactional sex implies the exercise of agency within socially, culturally and economically constructed contexts in which girls and women are systematically disadvantaged and have fewer opportunities than men for economic independence. Inviting examination of how sexual relations are transacted, this has been an area of particular interest to anthropologists and public health researchers concerned to identify effective interventions to reduce and prevent the spread of HIV and other sexually transmitted diseases. But transactional sex is also evident in research predicated on concerns for child protection. Framing transactional sex as a form of child sexual exploitation and abuse, Williams *et al.* (2012) point to the multiplicity of terms associated with transactional sex in the literature, reflecting the range of theoretical perspectives outlined earlier in this article. Their interviews and focus groups with children and adults in Rwanda identified a range of variables associated with transactional sex: caregiver absence, poverty preventing access to basic needs, challenges in accessing school, older men and women including neighbours and teachers offering friendship or favours in exchange for sex, and peer pressure to obtain fashionable goods. The authors argue that if interventions to support children involved in transactional sex are to be effective, they must be designed around the individual circumstances of the child.

In a review of over 300 published studies Stoebenau *et al.* (2016) identified three major discourses associated with the term 'transactional sex': i] sex for basic needs or survival sex, in which women are perceived as victims of men's privileged status; ii] sex to gain access to

improved social status, a means to gain social as well as economic capital; and iii] sex as a material expression of love deriving from the connections between love and money associated with the role of men as providers of material and financial support within relationships. The authors point to the fuzzy boundary between sex work and marriage that links whole families as well as individuals, and stress that transactional sex is not only characterised, but also motivated, by exchange. Concerned with the role of transactional sex in the transmission of AIDS in rural Malawi, Swidler and Watkins (2007) argue that the notion of exchange might helpfully be extended beyond and away from sex. Analysing popular understandings of sex and sexual relations expressed in informal conversations in public settings, they reframed transactional sex as involving a larger pattern of 'patron-client' relationships in which women's needs or desires for material benefits are matched by men's needs to display power, prestige and social dominance while maintaining an internal sense of behaving morally. They refer to these relationships as 'ties that bind'. Based on unequal forms and degrees of dependence, Swidler and Watkins see these ties as among many pervasive forms of patron-client interactions that have proved resilient over time. Interested in promoting behaviour change to reduce the socially and economically destructive effects of AIDS, they argue that given the tenacity of the ties that bind men and women in patriarchal cultures, ties that are valued by women as well as men, then effective interventions are more likely to come from promoting alternative forms of prestige for men that preserve the fabric of patron-client ties but detach them from sexual exchange. Such reinforcement of the patriarchal status quo is unlikely to be music to the ears of feminists, radical or liberal, and serves as a timely reminder of the incongruent logics and priorities of different actors concerned with promoting particular ideologies to explain children's involvement in the exchange of sex for material reward.

An alternative lens - The Capability Approach

The tensions discussed above demonstrate: i) the difficulty in developing conceptual and theoretical clarity about children's involvement in prostitution as a form of modern slavery and human trafficking, and ii) the enormous challenges in identifying effective approaches to end the need for children to exchange sex for material reward. It is here that we return to the capability approach, expanding the framework of the structure and agency debate by examining the impact of structural factors, together with the freedom or 'unfreedom' of

individuals to make decisions that contribute to their well-being (Sen, 1999; Nussbaum, 2001, 2005).

Seen through the lens of the capability approach, slavery is concerned with questions of unfreedom. Sen's argument is that freedom is a vital ingredient for human development whether or not that freedom is used by individuals to enhance their well-being. As such he identifies freedom as a necessary component of a good quality of life, and argues that freedom in political, economic and social spheres, together with transparency about constraints on freedom, must be a goal of public policy. Referring to the conflict between preserving tradition and the advantages of modernity, Sen (1999: 32-33) calls for 'participatory freedom' to reach participatory resolutions and argues that 'since participation requires knowledge and basic educational skills, denying the opportunity of schooling to any group – say, female children – is immediately contrary to the basic conditions of participatory freedom'. While economic freedom is heavily constrained by poverty, freedoms associated with social opportunities for good health, education and gender equity are further limited by factors constraining school attendance and gender-based violence. Engerman's (2007) discussion of slavery emancipation and freedom draws parallels between adaptive preferences, an important aspect of the capability approach, and 'voluntary slavery' whereby the conditions of slavery seem to offer greater security than the conditions that might be faced if freed from slavery. Examples include women remaining in abusive marriages in order to sustain their children and employees continuing to work under abusive and exploitative labour conditions in order to maintain an income. Similar argument may also hold for children involved in prostitution as a means of survival. But as Sen (1999) argues when considering the notion of happiness, we do not necessarily want to be happy slaves. As described earlier, Labani's account of her experiences in 'sex work' leaves us in no doubt that she had not made a free choice. Despite making her own decision to migrate within Malawi, Labani had also moved across national borders, exercising agency in an attempt to find alternative employment. She rejoined 'sex work' feeling she had no choice, giving up on her aspiration to complete her schooling, while 'knowing what she was doing was awful'. Using the vocabulary of the capability approach, it is evident she was not free to do and be what she aspired to do and be. Despite clear evidence of her agency, Labani was not able to overcome the structural barriers of poverty and patriarchy that limited her efforts to achieve a life she had reason to value.

When considering whether the children and young women in the study were subject to human trafficking, with the exception of twelve year old Loni who was clearly coerced and held against her will, the immediate response is ‘no’. However, if we understand the UN (2003) definition of trafficking ‘the movement of people through means of threat, force or coercion; the abuse of power over vulnerability for the purposes of exploitation including sexual exploitation, forced labour and slave-like practices’ to include the exercise of agency by girls and young women in moving to escape the structural constraints of poverty, patriarchal cultural norms and family or marital violence, we begin to understand trafficking in a rather different way, to include ‘voluntary’ movement, within, as well as across, borders.

We move on here to reflect on the role of international relations in creating and/or sustaining the conditions that encourage children and young women to migrate in search of a better life, rendering them vulnerable to involvement in prostitution.

Child prostitution: capabilities and international relations

With growing international attention to children’s involvement in prostitution, slavery and trafficking, the African Union (2019) is developing a ten-year action plan towards the eradication of child labour and modern slavery on the continent. Assisted by the ILO there are expectations of ‘the identification of synergy, complementarity and potential cooperation areas and mechanisms, better understandings of potential roles of concerned stakeholders, on eradication of child labour, forced labour, human trafficking and modern slavery on the continent’. Yet the weight of evidence suggests that without drastic reductions in poverty and inequalities that restrict opportunities for individuals to lead lives they have reason to value, the chances of eradicating child labour, slavery and trafficking are slim. As Bravo (2015) argues, terms such as slavery evoke strong and passionate reactions, but these remain ineffective unless they are channelled against the structural causes of such extreme exploitation. Discussing local solutions to global problems, Wilson (2019) highlights the global industrialization of prostitution resulting from sex discriminatory economic development policies. And drawing on a historical analysis of child protection policy formulation and implementation, Haly (2010) describes neoliberalism and child protection as ‘a deadly mix’. Referring to international efforts to address children’s involvement in prostitution, slavery and trafficking, Diptee (2018: 412) underlines the importance of critical applied history in avoiding the reproduction of rescue narratives that place the global north at the centre of stories ‘to bring liberty and freedom to individuals trapped in slavery because of

backward cultural traditions'. Diptee's argument reminds us of the 'organized hypocrisy' (Egnell, 2010) underpinning efforts to address children's involvement in prostitution, and to combat modern slavery and human trafficking, while the tight grip of global neoliberalism continues to sustain economic, health and social inequalities. Usman (2014: 290) sheds light on these processes, identifying constructivism and conflict theories as useful means of focusing respectively on the roles and relationships between the state and non-governmental actors, and on the reproduction of power structures that maintain sharp imbalances in power leading to 'betrayal, punishment and pain', particularly for women and children.

Conclusion

Focusing on empirical data from Malawi, this article has extended conceptualisations of children's involvement in prostitution by hearing directly from children and young women with experience of exchanging sex for material reward as children. We have paid specific attention to cultural specificities and the broader socio-economic context shaped by, and reflecting, the inherent tensions of international and national politics in the wider arena of global 'development'. Revisiting the findings of the participatory study through a lens of modern slavery and human trafficking, we have found that the lens itself has been blurred by competing theoretical interests vying to bring particular perspectives into sharper focus. While it has been possible to identify some elements drawn from definitions of slavery and trafficking, far more striking were experiences of poverty, loss of familial support, incomplete schooling, and the impact of cultural values that position women in inherently less powerful positions than men while also embedding a sense of responsibility in children to support family members. All these factors must be taken into account in shaping policies and practices designed to enable children to avoid becoming involved in prostitution. Part of that account is the responsibility of global northern actors to recognize their own part in sustaining the poverty of the global south, both through continuing adherence to the goals of neoliberalism and through introducing poorly informed 'aid' interventions to tackle narrow aspects of complex problems. A high profile example in Malawi has been the introduction of an externally funded programme to encourage girls' school attendance. Assuming that economic considerations were the only barrier to girls' school attendance, the programme failed to garner support both from those in positions of political power and from families who did not perceive girls' education to be more important than securing an early marriage for

their daughters (Kadzamira and Rose, 2003). It is in this sense that we see the potential of the capability approach in enabling those concerned to protect children from involvement in prostitution to identify specific capabilities and freedoms that can be built upon, and to identify unfreedoms constraining the achievement of valued lives (Sen, 2005). We argue that such an approach will be more valuable in planning interventions to support children involved in prostitution than adherence to unidimensional understandings of ‘child prostitution’ and uniform interpretation of global standards set by international agencies.

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References

Abebe, T. and Bessell, S. (2011) Dominant discourses, debates and silences on child labour in Africa and Asia, *Third World Quarterly*, 32(4): 765-786.

African Union. (2019) Action Plan towards Eradication of Child Labour and Modern Slavery on the Continent. Addis Ababa: Ethiopia. Available from: <https://au.int/fr/node/35863> [Accessed 14th April, 2020]

Bales, K. and Robbins, P. T. (2001) “No one shall be held in slavery or servitude”: A critical analysis of international slavery agreements and concepts of slavery, *Human Rights Review*, 2(2):18-45.

Barry, K. (1981) Female Sexual Slavery: Understanding the International Dimensions of Women's Oppression, *Human Rights Quarterly*, 3(2):44-52.

Barry, K. (1996) *The Prostitution of Sexuality*, New York; London: NYU Press.

Beran K. (2012) Revisiting the prostitution debate: Uniting liberal and radical feminism in pursuit of policy reform, *Law & Inequality*, 30:19-56.

Bessell, S. (2011) Influencing international child labour policy: The potential and limits of children-centred research, *Children and Youth Services Review*, 33(4):564-8.

Bordonaro, L.I. (2012) Agency does not mean freedom. Cape Verdean street children and the politics of children's agency, *Children's geographies*, 10(4): 413-26.

Bordonaro, L.I. and Payne, R. (2012) Ambiguous agency: critical perspectives on social interventions with children and youth in Africa, *Children's Geographies*, 10 (4): 365-372.

Bravo, K.E. Making 'Slavery' Work (2015) Slavery Past, Present and Future Conference Proceedings Ebook. Available at <http://dx.doi.org/10.2139/ssrn.2801282>

Cammack, D. (2017) Malawi's Political Settlement: Crafting Poverty and Peace, 1994–2014. *Journal of International Development*, 29(5): 661-77.

Coy M. (2009) 'Moved around like bags of rubbish nobody wants': how multiple placement moves can make young women vulnerable to sexual exploitation, *Child Abuse Review*, 18(4):254-66.

Craig, G. (ed) (2010) *Child slavery now: A contemporary reader*, Bristol: Policy Press.

Deneulin, S. and Shahani, L. (eds) (2009) *An introduction to the human development and capability approach: Freedom and agency*. London: Earthscan.

Diptee, A.A., 2018. The problem of modern-day slavery: is critical applied history the answer? *Slavery & Abolition*, 39(2), pp.405-428.

ECPAT International. (2011) *Global monitoring report on the status of action against commercial sexual exploitation of children: Thailand*. Bangkok: ECPAT International.

Egnell, R. (2010) The organised hypocrisy of international state-building, *Conflict, Security & Development*, 10(4): 465-491.

Engerman, S.L. (2007) *Slavery, emancipation, and freedom: Comparative perspectives*, Baton Rouge: Louisiana State University Press.

Farvid, P. and Glass, L. (2014) 'It isn't prostitution as you normally think of it. It's survival sex': Media representations of adult and child prostitution in New Zealand, *Women's Studies Journal*, 28(1):47-67.

Furedi, F. (2015) The moral crusade against paedophilia in Cree, V.E., Clapton, G. and Smith, M. (eds.), *Revisiting moral panics*, Bristol: Policy Press.

Giobbe, E. (1990) 'Confronting the Liberal Lies about Prostitution', in D. Leidholdt and J. Raymond (eds) *The Sexual Liberals and the Attack on Feminism*, New York, Pergamon Press, 67–81.

Goddard, C., Bortoli, L. D., Saunders, B. J., and Tucci, J. (2005). The rapist's camouflage: 'Child prostitution'. *Child Abuse Review*, 14(4): 275-291.

Goddard, C. and Mudaly, N. (2009) The ethics of involving children who have been abused in child abuse research, *The International Journal of Children's Rights*, 17(2):261-81.

Grana, S. J. (2009) *Women and Justice*. Plymouth: Rowman & Littlefield.

Green, S. P. (2016) What Counts as Prostitution? *Bergen Journal of Criminal Law and Criminal Justice*, 4(1): 184-202.

Hahn, K. and Holzscheiter, A. (2013) The ambivalence of advocacy: Representation and contestation in global NGO advocacy for child workers and sex workers, *Global Society*, 27(4): 497-520.

Haly, M. K. (2010) Neoliberalism and child protection: A deadly mix. *Labour History: A Journal of Labour and Social History*, 98:121-41.

Hanson, K. and Nieuwenhuys, O. (eds) (2013) *Reconceptualizing children's rights in international development: living rights, social justice, translations*, Cambridge: Cambridge University Press.

Horgan, D. (2017) Child participatory research methods: Attempts to go 'deeper', *Childhood*, 24(2):245-59.

Hwang, S.L. and Bedford, O. (2003) Precursors and pathways to adolescent prostitution in Taiwan, *Journal of Sex Research*, 40(2): 201-10.

Hwang, S.L. and Bedford, O. (2004) Juveniles' motivations for remaining in prostitution, *Psychology of Women Quarterly*, 28(2):136-46.

International Federation of Social Work (2014) *Global Definition of Social Work*, available at: <https://www.ifsw.org/what-is-social-work/global-definition-of-social-work/> (accessed 14th April, 2020)

Jeffreys, S. (2000) Challenging the child/adult distinction in theory and practice on prostitution, *International Feminist Journal of Politics*, 2(3):359-79.

Kadzamira, E. and Rose, P. (2003) Can free primary education meet the needs of the poor?: evidence from Malawi, *International journal of educational development*, 23(5): 501-16.

Kaime, T. (2005) The Convention on the Rights of the Child and the cultural legitimacy of children's rights in Africa: Some reflections, *African Human Rights Law Journal*, 5(2):221-38.

Kaime T. (2009) *The African Charter on the Rights and Welfare of the Child: A socio-legal perspective*, Pretoria: Pretoria University Law Press.

Kempadoo, K. (2015) The modern-day white (wo) man's burden: Trends in anti-trafficking and anti-slavery campaigns, *Journal of Human Trafficking*, 1(1):8-20.

Kempadoo K, Sanghera J, Pattanaik B. (2016) *Trafficking and prostitution reconsidered: New perspectives on migration, sex work, and human rights*, Abingdon: Routledge.

- Kropiwnicki, Z. O. (2012) The politics of child prostitution in South Africa, *Journal of Contemporary African Studies*, 30(2): 235-65.
- Lansdown, G. (2009) The realisation of children's participation rights: critical reflections. In B. Percy-Smith and N. Thomas (eds), *A handbook of children and young people's participation*, Abingdon: Routledge. 33-45.
- Lusk, M. and Lucas, F. (2009) The challenge of human trafficking and contemporary slavery. *Journal of comparative social welfare*, 25(1): 49-57.
- Macy, R. J. and Graham, L. M. (2012) Identifying domestic and international sex-trafficking victims during human service provision, *Trauma, Violence, & Abuse*, 13(2):59-76.
- Melrose, M. (2010) What's love got to do with it? theorising young people's involvement in prostitution. *Youth and Policy*, 104: 12-30.
- Montgomery, H. (2009) Are child prostitutes child workers? A case study, *International Journal of Sociology and Social Policy*, 29(3/4):130-40.
- Montgomery, H. (2014) Child prostitution as filial duty? The morality of child-rearing in a slum community in Thailand, *Journal of moral education*, 43(2):169-82.
- Moser, C. (2005) Has gender mainstreaming failed? A comment on international development agency experiences in the South, *International Feminist Journal of Politics*, 7(4):576-90.
- Mwambene, L. (2018) Recent legal responses to child marriage in Southern Africa: The case of Zimbabwe, South Africa and Malawi, *African human rights law journal*, 18(2):527-50.
- National Statistical Office (NSO) [Malawi] and ICF. (2017) *Malawi Demographic and Health Survey 2015-16*. Zomba, Malawi, and Rockville, Maryland, USA. NSO and ICF.
- Nkhoma, P. and Charnley, H. (2018) Child Protection and Social Inequality: Understanding Child Prostitution in Malawi, *Social Sciences*, 7(10): 185.
- Noguchi, Y., 2002. ILO Convention No. 182 on the worst forms of child labour and the Convention on the Rights of the Child. *International Journal of Childrens Rights*, 10, pp.355-369.
- Nussbaum, M. (2000) Women's capabilities and social justice, *Journal of Human Development*, 1(2): 219-47.
- Nussbaum, M. C. (2001) *Women and human development: The capabilities approach*, Cambridge: Cambridge University Press.
- Nussbaum, M. (2003) Capabilities as fundamental entitlements: Sen and social justice, *Feminist Economics*, 9(2-3):33-59.
- Nussbaum, M.C. (2005) Women's bodies: Violence, security, capabilities, *Journal of Human Development*, 6(2):167-83.

- Nussbaum, M. C. and Glover, J. (eds) (1995) *Women, culture, and development: A study of human capabilities*, Oxford: Clarendon Press.
- O'Connell Davidson, J. (2005) *Children in the global sex trade*, Cambridge: Polity.
- O'Neill, M. (2013) *Prostitution and feminism: Towards a politics of feeling*, Cambridge: Polity.
- Orchard, T. R. (2007) Girl, woman, lover, mother: towards a new understanding of child prostitution among young Devadasis in rural Karnataka, India, *Social Science and Medicine*, 64(12): 2379-90.
- Organisation of African Unity. (1987) *The (Banjul) Charter on Human and Peoples Rights*, Available from https://www.achpr.org/public/Document/file/English/banjul_charter.pdf [Accessed on 14th April, 2020]
- Organisation of African Unity. (1990) *African Charter on the Rights and Welfare of the Child*, Addis Ababa: OAU.
- Pearce, J.J., Hynes, P. and Bovarnick, S. (2013) *Trafficked young people: Breaking the wall of silence*. London: Routledge.
- Phoenix, J. (2001) *Making sense of prostitution*, Basingstoke: Palgrave Macmillan.
- Phoenix, J. (2007) Governing prostitution: New formations, old agendas, *Canadian Journal of Law and Society/La Revue Canadienne Droit et Société*, 22(2):73-94.
- Phoenix, J. (2012) Violence and prostitution: Beyond the notion of a 'continuum of sexual violence'. in J. Brown and S. L. Walklate (eds) *Handbook on sexual violence*, London: Routledge. 218-36.
- Sanders, T., O'Neill, M. and Pitcher, J. (2017) *Prostitution: Sex work, policy and politics*. London: Sage.
- Sen, A. (1999) *Development as freedom*, Oxford: Oxford University Press.
- Sen, A. (2005) Human rights and capabilities, *Journal of Human Development*, 6(2): 151-66.
- Stoebenau, K., Heise, L., Wamoyi, J. and Bobrova, N. (2016) Revisiting the understanding of "transactional sex" in sub-Saharan Africa: a review and synthesis of the literature, *Social Science and Medicine*, 168: 186-197.
- Swidler, A. and Watkins, S.C. (2007) Ties of dependence: AIDS and transactional sex in rural Malawi, *Studies in Family Planning*, 38(3): 147-162.
- Tiffany, J. S. (2006) Respondent-driven sampling in participatory research contexts: Participant-driven recruitment, *Journal of Urban Health*, 83(1): 113-24.
- United Nations. (1989) *Convention on the Rights of the Child*, New York: United Nations.
- United Nations. (2000a) *Optional protocols to the Convention on the Rights of the Child (A/54/L.84)*, Geneva: United Nations.

United Nations (2000b) General Assembly Resolution 55/25. *(Palermo) Convention against Transnational Organized Crime*.

United Nations. (2003) *Protocol to prevent, suppress and punish trafficking in persons, especially women and children*. Available at

http://www.unodc.org/documents/middleeastandnorthafrica/human-trafficking/Tip_Protocol_English.pdf [Accessed 14th April, 2020]

United Nations Development Programme. (2018) *Human Development Indices and Indicators: 2018 Statistical Update*, New York: UNDP. Available at:

<http://hdr.undp.org/en/content/human-development-indices-indicators-2018-statistical-update> [Accessed 14th April, 2020]

Usman, U.M. (2014) Trafficking in women and children as vulnerable groups: Talking through theories of international relations, *European Scientific Journal*, 10(17): 282-292.

Vanwesenbeeck, I. (2017) Sex work criminalization is barking up the wrong tree, *Archives of sexual behavior*, 46(6): 1631-1640.

Warria, A. (2018) Girls' innocence and futures stolen: The cultural practice of sexual cleansing in Malawi. *Children and Youth Services Review*, 91: 298-303.

Williams, T.P., Binagwaho, A. and Betancourt, T.S. (2012) Transactional sex as a form of child sexual exploitation and abuse in Rwanda: Implications for child security and protection, *Child Abuse and Neglect*, 36(4): 354-361.

Wilson, B. (2019) Global problem, local solutions: Challenges to exiting commercial sexual exploitation and service provision, *International Social Work*, 62(2):741-53.

World Health Organization (2018) WHO country cooperation strategy at a glance: Malawi.

World Health Organization. Available at: <https://apps.who.int/iris/handle/10665/136935>. (Accessed 14th April, 2020)

Yanow, D. (1992) Silences in public policy discourse: Organizational and policy myths. *Journal of Public Administration Research and Theory*, 2(4): 399-423.

Zembe, Y.Z., Townsend, L., Thorson, A. and Ekström, A.M. (2013) “Money talks, bullshit walks” interrogating notions of consumption and survival sex among young women engaging in transactional sex in post-apartheid South Africa: a qualitative enquiry. *Globalization and health*, 9(1): 28.

Zhang, S. X. (2009) Beyond the ‘Natasha’ story—a review and critique of current research on sex trafficking, *Global crime*, 10(3):178-95.